

IN THE DRAWINGS:

Figs. 3, 4 and 8 have been amended to correct typographical errors in which the "+" and "-" signs for the amplifier 35 have been switched.

REMARKS

The indication of allowable subject matter in claims 5, 6 (independent claim) and 12 is acknowledged and appreciated. Accordingly, claims 5 and 12 have been rewritten into independent form. In view of the following remarks, it is respectfully submitted that all claims are in condition for allowance.

As a preliminary matter, it is noted that the Examiner has not initialed the U.S. patents cited in the Information Disclosure Statement filed on April 2, 2004 (i.e., USP No.'s 6,546,059 and 6,344,772). A copy of the IDS is attached hereto for the Examiner's reference. It is respectfully requested that the Examiner provide Applicants an initialed copy of the IDS indicating that *each* of the prior art references cited therein have been considered and made of record.

Claims 1-18 stand rejected under 35 U.S.C. § 112, second paragraph. It is respectfully submitted that the amendment to the claims and drawings have obviated the issues raised by the Examiner. Accordingly, it is respectfully requested that this rejection be withdrawn.

Claim 3 is the sole rejected independent claim and stands rejected under 35 U.S.C. § 102 as being anticipated by Bisanti et al. '351 ("Bisanti"). This rejection is respectfully traversed for the following reasons.

Claim 3 recites in pertinent part, "the second electric current is an electric current whose direction is the *same* as that of the first electric current" (emphasis added). In contrast, the alleged first and second electric current of Bisanti have *opposite* directions (see Figure 5)

whereby a differential current flows into the capacitive element 150pf. Indeed, on page 4, lines 5-7 of the outstanding Office Action, the Examiner acknowledges that Bisanti discloses that "the second electric current (Ip) flows in an opposite direction to the direction of the first current (IR)"

As anticipation under 35 U.S.C. § 102 requires that each and every element of the claim be disclosed, either expressly or inherently (noting that "inherency may not be established by probabilities or possibilities", *Scaltech Inc. v. Retec/Tetra*, 178 F.3d 1378 (Fed. Cir. 1999)), in a single prior art reference, *Akzo N.V. v. U.S. Int'l Trade Commission*, 808 F.2d 1471 (Fed. Cir. 1986), based on the forgoing, it is submitted that Bisanti does not anticipate claim 3, nor any claim dependent thereon.

Under Federal Circuit guidelines, a dependent claim is nonobvious if the independent claim upon which it depends is allowable because all the limitations of the independent claim are contained in the dependent claims, *Hartness International Inc. v. Simplimatic Engineering Co.*, 819 F.2d at 1100, 1108 (Fed. Cir. 1987). Accordingly, as claim 3 is patentable for the reasons set forth above, it is respectfully submitted that all claims dependent thereon are also patentable. In addition, it is respectfully submitted that the dependent claims are patentable based on their own merits by adding novel and non-obvious features to the combination.

Based on the foregoing, it is respectfully submitted that all pending claims are patentable over the cited prior art. Accordingly, it is respectfully requested that the rejections under 35 U.S.C. § 102/103 be withdrawn.

CONCLUSION

Having fully responded to all matters raised in the Office Action, Applicants submit that all claims are in condition for allowance, an indication for which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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